

SIKKIM



GOVERNMENT

GAZETTE

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**GOVERNMENT OF SIKKIM
LAW & PARLIAMENTARY AFFAIRS DEPARTMENT
GANGTOK**

No. 11(656)L&PAD/2021/08

Dated: 25.06.2025

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on the 20th day of June, 2025 is hereby published for general information:-

THE ATAL BIHARI VAJPAYEE SKILL UNIVERSITY SIKKIM ACT, 2025

(ACT NO. 13 OF 2025)

AN

ACT

to provide for the establishment and incorporation of the ATAL BIHARI VAJPAYEE SKILL UNIVERSITY SIKKIM in the State of Sikkim, and to confer the status of a Private University thereon and for matters connected there with and incidental there to.

Whereas, with a view to provide major boost in terms of academic upliftment in all spheres of knowledge it is essential to impart education in almost all areas including Management, Engineering, Law, IT and Communication, Medical, Nursing, Insurance, Behavioral Science, Fine Arts, etc., to the youth at their door steps;

And whereas, SKILL INITIATIVES AND ASSESSMENT COUNCIL (SIAC) CIN U80902DL2018NPL339732 It is classified as Non-government company and is registered under section 8(1) of the Companies Act, 2013 at Registrar of Companies is under Ministry of Corporate Affair.

Now therefore, SKILL INITIATIVES AND ASSESSMENT COUNCIL (SIAC) intends to establish Atal Bihari Vajpayee Skill University, Sikkim in the State of Sikkim with the objective to provide Higher Education with skilled and entrepreneur courses in Sikkim through world

class infrastructure and international networking which shall catalyst not only the surrounding region but the State as a whole.

Be it enacted by the Legislature of Sikkim in the Seventy-sixth Year of the Republic of India, as follows:

CHAPTER I PRELIMINARY

Short title, extent and commencement	1	<ol style="list-style-type: none">1) This Act may be called the Atal Bihari Vajpayee Skill University Sikkim Act, 2025.2) It shall extend to the whole of Sikkim.3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
Definitions	2	<p>In this Act, unless the context otherwise requires,</p> <ol style="list-style-type: none">(a) "Academic Council" means the Academic Council of the University as specified in section 24 of the Act;(b) "Administrator" means an Administrator appointed by the State Government;(c) "Act" means the Atal Bihari Vajpayee Skill University Sikkim Act, 2025.(d) "Annual Report" means the Annual report of the University as referred to in section 40 of the Act;(e) "Affiliation" together with its grammatical variations, includes in relation to an institution of skills education or training establishments, recognition of such institution and training establishment by the University and association of such institute and training establishment with the University;(f) "Board of Management" means the Board of Management of the University as constituted under section 22 of the Act;(g) "Campus" means the area of the University in which it is established;(h) "Chancellor" means the Chancellor of the University appointed under section 11 of the Act;(i) "Credit framework" means the framework, developed by the University, built on measure unit of education, skills and learning credits for a student to achieve the competency for performing a job role successfully or efficiently;(j) "The Chief Finance and Accounts Officer" means the Chief Finance and Accounts Officer of the University appointed under section 17 of the Act;(k) "Controller of Examinations" means the Controller of Examinations of the University appointed under section 18 of the Act;

- (l) "Constituent College" means a college or an institution maintained by the University;
- (m) "Development Fund" means the development fund of the University;
- (n) "Education and Training or Information Institution, registered training organization" means an organization recognized by the University;
- (o) "Employee" means employee appointed by the University and includes teachers and others staff of the University or of a constituent college;
- (p) "Endowment Fund" means the endowment fund of the University established under section 37 of the Act;
- (q) "Faculty" means group of academic departments of similar disciplines;
- (r) "Fee" means monetary collection made by the University from the students for the purpose of any course of study in the University;
- (s) "General Fund" means the General fund of the University established under section 38 of the Act;
- (t) "Governing Body" means the Governing Body of the University constituted under section 21 of the Act;
- (u) "National Assessment and Accreditation Council" means National Assessment and Accreditation Council, Bengaluru, an autonomous institution of the University Grants Commission;
- (v) "National Council for Vocational Education and Training" means National Council for Vocational Education and Training established by the Central Government;
- (w) "National Skill Qualification Framework" means the qualification assurance framework for skills as notified by the Central Government;
- (x) "Prescribed" means prescribed by the Statutes and the rules made under this Act;
- (y) "Pro-Vice-Chancellor" means the Pro-Vice-Chancellor of the University appointed under section 14 of the Act;
- (z) "Registrar" means the Registrar of the University appointed under section 16 of the Act;
- (aa) "Regulatory Body" means a body established by the Government of India for laying down norms and conditions for ensuring academic standards of higher education, such as University Grants Commission, All India Council for Technical Education, National Council for Teacher Education, Medical Council of India, Bar Council of India, Pharmacy Council of India, National Assessment and Accreditation Council, Indian Nursing Council, Indian Council of Agriculture Research, Council of Scientific and Industrial Research and includes the Government or any such body constituted by the Government of India or the State Government;

- (bb) "Rules" means the rule of the University made under this Act;
- (cc) "Sponsoring Body" in relation to the **Atal Bihari Vajpayee Skill University Sikkim Means :**
 - (i) SKILL INITIATIVES AND ASSESSMENT COUNCIL (SIAC) CIN U80902DL2018NPL339732. It is classified as Non-government company and is registered at Registrar of Companies is under Ministry of Corporate Affair;
- (dd) "State Government" means the State Government of Sikkim;
- (ee) "Statutes", "Ordinances", and "Regulations" means respectively, the Statutes, Ordinances and Regulations of the University made under this Act;
- (ff) "Student of the University" means a person enrolled in the University for taking a course of study for a degree, diploma, or other academic distinction duly instituted by the University, including a research degree;
- (gg) "Teacher" means a Professor, Associate Professor, Assistant Professor or such of the other person as may be appointed for imparting instruction or conducting research in the University or in a Constituent College or Institution and includes the Principal of a Constituent College or institution, in conformity with the norms prescribed by the University Grants Commission;
- (hh) "Training Centres, Model Skill Centres, Centre of Excellence" means any Skill and Education Training Infrastructure centres established or maintained or recognized by the University;
- (ii) "University Grants Commission" means the University Grants Commission established under the University Grants Commission Act, 1956;
- (jj) "University" means Atal Bihari Vajpayee Skill University Sikkim, established under this Act.
- (kk) "Vice-Chancellor" means the Vice-Chancellor of the University appointed under section 12 of the Act;
- (ll) "Vocational Education" means such education that prepares a person to work as a technician in a trade, craft, or in support role in professions such as engineering, accountancy, nursing, medicine, architecture, law, paramedical and allied science, etc.

CHAPTER II

ESTABLISHMENT OF UNIVERSITY

Establishment of 3 University

- (1) There shall an established University by the name "Atal Bihari Vajpayee Skill University, Sikkim".
- (2) The headquarters of the University shall be with in the State of Sikkim and shall be situated at Namcheybung, Pakyong District, Sikkim.

- (3) The University shall start operation only after the State Government issues the letter of authorization.
 - (4) The University shall meet the conditions mentioned in the schedule A of the Act within the stipulated time.
 - (5) The Governing Body, the Board of Management, the Academic Council, the Chancellor, the Pro-chancellor the Vice-Chancellor, the Pro-Vice-Chancellor, the Registrar, the Deputy Registrar, the Teachers, the Chief Finance and Accounts Officer and such other officers or members or authorities so long as they continue to hold such office or membership of the University hereby constitute a body corporate by the name of the University.
 - (6) The University shall function as non-affiliating University and they shall not affiliate any other college for the conferment of degree, diploma and for grant of certificate to the students admitted therein.
 - (7) The constituent colleges and institutions of the Sponsoring Body affiliated to and enjoying the privilege of any University immediately by once the commencement of this Act shall come cease to be affiliated from that University.
 - (8) The University shall be a body corporate by the name "Atal Bihari Vajpayee Skill University" and shall have perpetual succession and common seal with power, subject to the provisions of this Act, to acquire and hold property, to contract and shall, by the said name, sue or be sued.
 - (9) The campus of the University shall be in, Pakyong District, Sikkim and it may have Regional Centres, Study Centres in the state with the approval of the UGC (University Grants Commission) regulations or conditions issued by the concerned Statutory Bodies, UGC (University Grants Commission) and State Government from time to time.
 - (10) The University shall not seek any grant-in-aid or other financial assistance from the State Government or the Central Government or any other body or corporation owned or controlled by the State Government or the Central Government;
- Properties of the University and its application** 4
- (1) On the establishment of the University the land and other movable and immovable properties acquired, created, arranged, or built by the University for the purpose of the University in the State of Sikkim shall vest in the University, subject to the provision of this Act.
 - (2) The land, building and other properties acquired for the University shall not be used for any purpose other than that for which the same is acquired.
 - (3) The properties, movable or immovable, of the University shall be administered by the Governing Body in such manner as may be provided for by the regulations.

**Restrictions
and
Obligations
of the
University**

(4) The properties in the name of the University under sub-section (1) shall be applied for meeting the debts and liabilities of the University in the event of winding up or dissolution of the University.

5 (1) The tuition fees for professional courses such as Engineering and Technology, Medicine, Management, Law in the University shall, be determined by the University under the supervision of the Regulatory Body notified by the State Government from time to time.

(2) Admission in the University shall be strictly on the basis of merit. Merit for admission in the University may be determined either on the basis of marks or grade obtained in the qualifying examination and achievements in co-curricular and extra-curricular activities or on the basis of marks or grade obtained in the entrance test conducted at State level either by the University or an association of the Universities conducting similar courses or by any agency of the State Government:

Provided that the admission in professional educational colleges or institutions of the University shall be governed under the provisions of the Regulatory Bodies.

(3) The University shall allow merit scholarship to at least 5 (five) percent of the total strength, to the students belonging to poor and economically backward classes. The relevant criteria for determining the poor and economically backward classes shall be such as may be determined by the State Government from time to time.

(4) The University shall compulsorily make provisions for preference in seats for the students domiciled in the State of Sikkim to the extent of atleast 10 (Ten) percent of the total students in the University. The reservation of seats shall be regulated by the prevalent laws and orders of the State Government from time to time.

(5) The University shall make provisions for preference of non-teaching posts in the University for the persons domiciled in the State of Sikkim to the extent of atleast 50 (fifty) percent of the total number of non-teaching posts of the University. The reservation of seats shall be regulated by the Governing Body of university from time to time.

(6) The University shall appoint adequate number of teachers and officers in the University for maintaining the academic standards specified and shall ensure that the qualifications of such teachers or officers of the University shall not be lower than that prescribed by the relevant Regulatory Bodies.

(7) The University shall compulsorily place in the public domain every information in relation to the University which would be of interest to the students and other stakeholders *inter alia*, including the courses offered, number of seats under different categories, fees and other charges, facilities and amenities offered, faculty in place and such other relevant information.

- (8) The Convocations of the University may, for conferring degrees, diplomas or for any other purpose, be held in every academic year in the manner as may be prescribed by the Statutes.
- (9) The University shall obtain accreditation from the National Council of Assessment and Accreditation (NAAC) within 7 (seven) years of its establishment and such other regulating bodies of Government of India which are connected with the courses taken up by the University and inform the State Government about the grade provided to the University. The University shall get renewed such accreditation from time to time.
- (10) Notwithstanding anything contained in this Act, the University shall be bound to comply the conditions mentioned in Schedule A of this Act, and all the rules, regulations, norms and any such directions of the regulating bodies of Government of India and State Government and provide all such facilities and assistance to such bodies as are required by them to discharge their duties and carry out their functions.

**Objectives of
the University**

- 6 The objects of the University shall be to disseminate and advance knowledge and skills by providing instructional, research and extension of facilities and in such branches of learning as it may deem fit and the University shall endeavor to provide to students and teachers the necessary atmosphere and facilities for the promotion of:
 - (a) innovations in education leading to restructuring of courses, new methods of teaching, training, and learning including online learning, blended learning, continuing education and such other modes and integrated and wholesome development of personality;
 - (b) studies in various disciplines;
 - (c) delivering quality skill education recognized by industries nationally and internationally;
 - (d) to develop a credit based education framework;
 - (e) interdisciplinary studies as per New Education Policy, 2020;
 - (f) national integration, secularism and social equity and international understanding and ethics.
 - (g) engage and collaborate with industry partners and educational institutions, for establishing training institutions, training centres and centre of excellences with the aim of providing workplace training and familiarization with industry best practices;
 - (h) collaborating with industries for facilitation of on-the-job trainings (OJTs), apprenticeships and job placements;
 - (i) develop as a hub of skilling activities including-offering skills-based programmes, fostering apprenticeships, on the job trainings and placements, counselling, conducting training of trainers and training of assessor, development of National Skills Qualifications Framework (NSQF) aligned curriculum;

University open to all irrespective of sex, religion, class, colour, creed, or opinion

7 No person shall be discriminated against or be excluded from any office of the University or from membership of any of its authorities or from admission to any course of study leading to a degree, diploma or other academic distinction on the grounds of sex, race, creed, class, caste, place of birth and religious belief or political or other opinion.

Powers and Functions of the University

8 The powers and functions of the University shall be:-

- (a) to administer and manage the University, establish, administer and manage its constituent colleges and centres for research, education, training, extension and outreach including continuing education, distance learning, online and e-learning at its campus within the State of Sikkim;
- (b) to provide for research, higher education, professional education, teaching training, extension and outreach including continuing education, distance learning and e-learning in the field of science, technology, humanities, social sciences, education, management, commerce, law, pharmacy, healthcare and any other fields;
- (c) to conduct innovative experiments in educational technologies, teaching and learning methods, to collaborate with national and international institutions and to offer joint programmes with such institutes to constantly improve the delivery of education and to achieve international standards of education;
- (d) to design the program structures, curricula, credit system teaching learning methodology, evaluation pedagogy and adopt all measures in respect of study, teaching and research relating to the courses offered by the University, to keep the programs outcome skill based and in line with industry requirement;
- (e) to hold examination and confer degree, diploma or grant certificate and other academic distinctions or title on persons subject to such condition as the University may determine and to withdraw or cancel any such degree, diploma or certificates and other academic distinction or titles in the manner prescribed by the Regulations;
- (f) to confer honorary degrees or other distinction on the manner prescribed by the Statutes;
- (g) to establish centers, institutes, college, schools and conduct the programme and courses of study as are in the opinion of the University, necessary for the furtherance of its objects;
- (h) to declare as a constituent college any college, centre, institution imparting education as are in the opinion on the University necessary for the furtherance of its objects or to establish a new constituent college, centre, institution for the purpose;

- (i) to provide for printing, publication and reproduction of research, educational material and other works and to organize exhibitions, conferences, workshops and seminars;
- (j) to establish knowledge resource centre & other facilities center as required under the guidelines of higher education or regulatory ministry or any scheme of Government of India;
- (k) to sponsor and undertake research and educational programmes in the fields of science, technology, humanities, social sciences, education, management, commerce, law, pharmacy, healthcare and any other allied areas;
- (l) to collaborate or associate with any educational institution with like or similar objects;
- (m) to establish campuses including virtual campus for the purpose of achieving the objectives of the University;
- (n) to undertake research and to obtain registration in respect of such research in the nature of patents, design rights and such or similar rights with the competent authorities;
- (o) to maintain linkages and collaborate with educational or other institutions in any part of the world having objects wholly or partially similar to those of the University, through exchange of students, researchers, faculty and staff and generally in such manner as may be conducive to their common objects;
- (p) to render services of research, training, consultancy and such other services as required for the purposes of the University;
- (q) to develop and maintain relationships with faculty, researchers, administrators and domain experts in science, technology, humanities, social sciences, education, management, law, commerce, pharmacy, healthcare and allied area for achieving the objects of the University;
- (r) to undertake research work on regular subjects as well as rare subjects like COVID -19, Blood Cancer, Influenza (flu); etc & other as per agenda and requirements.
- (s) To accept or collect the donations for scientific research, social science research, technical research, statistical research and any other research related to any project undertaken by the University or approved by its board of studies from any company/ institution/ organization for the purposes of section 12AA / 80G/ 35 (1)/ 35 (2)/ 35AC of Indian Income Tax Act 1961, with the prior permission of State Government.
- (t) to regulate the expenditure and to manage the finances and to maintain the accounts of the University;
- (u) to receive funds, movable and immovable properties, equipment, software and other resources from business, industry, other sections of society, national and international organization or any other source by transfers or as gifts, donations, benefactions or bequests for the purposes and objects of the University with proper approval of the State Government;

- (v) to establish, maintain and manage halls, hostels for students and quarters for the residence of faculty and staff;
- (w) to construct, manage and maintain centres, complexes, auditorium, buildings, stadium for the advancement of sports, cultural, co-curricular and extra-curricular activities;
- (x) to supervise and control the residence and regulate the discipline of students, faculty and staff of the University and to make arrangements for promoting their health, general welfare, social and cultural activities;
- (y) to fix, demand and receive or recover fees and such other charges as may be prescribed by the Statutes;
- (z) to purchase or to take on lease or accept as gifts, bequests, legacies or otherwise any land or building or works which may be necessary or convenient for the purpose of the University and on such terms and conditions as it may think fit and proper and to construct or alter and maintain any such building or works;
- (aa) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms as it may think fit and consistent with the interest, activities and objects of the University;
- (bb) to draw and accept, to make and endorse, to discount and negotiate promissory notes, bills of exchange, cheques and other negotiable instruments;
- (cc) to raise and borrow money on bond, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms and conditions as it may think fit and to pay all expenses out of the funds of the University.
- (dd) define norms of examination or any other measure of assessment of knowledge and competency of a student including modalities of industry based assessment, industry based projects, internships, on the Job training and any related activities of students admitted to the University of institutions of skills education affiliated to it;
- (ee) to identify and recognize industries or training centers for the purpose of practical or hands on training of students in skill and to define norms for recognition of competency attained by students in practical training in industry or training centre for the purpose of earning credits;
- (ff) to offer Unified Vocational Model offering short term training, Industrial Training Institute (ITI) certificate and diplomas, Polytechnic Diplomas, Advanced Diploma, Bachelor of Vocational Education (B.Voc.) (D.Voc) (M.VoC), Bachelor of Skills (B.Skills) Degrees, Pre-University qualification equivalent to intermediate education;

- (gg) to appoint, either on contract, or otherwise, visiting Professors, Emeritus Professors, Consultants, Fellows, Scholars, Artists, Course Writers- and such other person who may contribute to the advancement of the objects of the University;
- (hh) to reach out and partner with Central Ministries, State Governments, National bodies, International bodies for accessing funding, grants, resources via applying to various schemes or grants which can help further the objects of the University;
- (ii) to provide for the preparation of instruction materials, learning resources, workplace training practices, knowledge repositories, e-learning platforms, digital learning experiences, including films, digital media, video, streaming content, multimedia content, visualization, simulations and other software, to grant, subject to such conditions as the University may determine, diplomas or certificates, secondary, senior secondary Pre-University and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing on persons, and to withdraw any such diplomas, certificates, degrees or such other academic distinctions for good and sufficient cause;
- (jj) the convocation of the University shall be held every academic year in the manner, as may be specified by the statutes for conferring degrees, diplomas, awards or for any other purpose.
- (kk) the Train the Trainer program (TOT) shall be carried by the University for the faculties with alignment to NSQF standards to award, subject to conditions determined by the University, diplomas, certificates, secondary and senior secondary qualifications, pre-university credentials, degrees, or other academic distinctions based on examinations, evaluations, or other methods of assessment; and to revoke such diplomas, certificates, degrees, or distinctions for valid and sufficient reasons.

Bar to affiliation 9

- (1) The University shall not admit any college or institution to the privilege of affiliation.
- (2) The University may open any study centre, examination centre in the State of Sikkim only after the prior approval of University Grants Commission or such Regulatory Body established by the State or Central Government, as the case may be.
- (3) Courses under Distance mode can be started only after the prior approval of University Grants Commission or such Regulatory Body established by the Government

CHAPTER III
OFFICERS OF THE UNIVERSITY

- Officers of the University** **10** The following shall be the officers of the University namely:
- (a) The Chancellor;
 - (b) The Pro-Chancellor
 - (c) The Vice-Chancellor;
 - (d) The Pro-Vice-Chancellor;
 - (e) Director/Principal;
 - (f) The Registrar;
 - (g) The Deputy Registrar;
 - (h) The Chief Finance and Accounts Officer;
 - (i) The Controller of Examinations;
 - (j) The Dean of Students Welfare;
 - (k) The Dean of Faculty;
 - (l) The Proctor, and
- such other officers as may be declared by the Statute to be the officers of the University.
-
- The Chancellor** **11** (1) The Chancellor shall be appointed by the Sponsoring Body for a period of 5 (five) years with the approval of Governing Body of the Organisation (SIAC). On the expiry of the term, the Chancellor may be reappointed by the Sponsoring Body.
- (2) The Chancellor by virtue of his office shall be the head of the University.
- (3) The Chancellor shall preside over the meetings of the Governing Body and shall preside over the convocation of the University for conferring degrees, diplomas, or other academic distinctions.
- (4) The Chancellor may in writing under his hand addressed to the head of the Sponsoring Body resign his office.
- (5) On the basis of the information received, if he or she is satisfied that any order, proceeding or decision taken by any other authority of the University is not in conformity with the Act, or the Regulations or Rules prescribed, the Chancellor may issue such directions as he or she may deem fit in the interest of the University which shall be binding on all concerned. Chancellor has veto power over any decision taken by the authority, officers or committees. He can change, hold or modify the decision taken by state authority, officers or committees. The chancellor have the veto power to modify or change any clause or sub-clause of this Act.
- (6) The Chancellor shall have the following powers, namely:
- (a) to call for any information or record;
 - (b) to appoint the Vice-Chancellor;

- (c) to remove the Vice-Chancellor in accordance with the provisions of this Act; and
- (d) such other powers as may be conferred on him by this Act or Statutes made hereunder.
- (7) to remove or appoint any position as and when required in the favor of University in consultation with Vice-Chancellor and Registrar.

The Pro-Chancellor

- 14** (1) The Pro-Chancellor may be appointed by the Chancellor in such manner and shall exercise such powers and perform such functions as may be prescribed.
- (2) The Pro-Chancellor appointed under sub-section (1) shall discharge his duties in addition to his duties as an administrator.
- (3) The Pro-Chancellor shall have all the powers to take any decision in administration, academic or any in any school or to overrule any decision of Vice-Chancellor and below in consent with the Chancellor.
- (4) The Pro-Chancellor may assist the Chancellor in discharging his duties as and when required by the Chancellor.
- (5) The Pro-Chancellor may get honorarium of such amount as may be determined by the Sponsoring Body.

The Vice-Chancellor

- 12** (1) The Vice-Chancellor shall be appointed by the Chancellor as per the qualifications prescribed by the University Grants Commission and shall hold office for a period of 5 (five) years:
- Provided, that after the expiry of the term of five years, the Vice-Chancellor shall be eligible for re-appointment for another term of 5(five) years by the approval of Chancellor.
- (2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general superintendence and control over the affairs of the University and shall execute the decisions of various authorities of the University.
- (3) In the absence the Chancellor, the Vice-Chancellor shall preside over the convocation of the University.
- (4) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall convey to such authority the action taken by him on such matters:
- Provided that if the authority of the University or any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section may prefer an appeal to the Chancellor within 1 (one) month from the date of communication of such decision. The Chancellor may confirm, modify or reverse action taken by the Vice-Chancellor.
- (5) The Vice-Chancellor shall exercise such powers and perform such other functions as may be prescribed.

Removal of the Vice-Chancellor	13	<p>(1) If at any time and after such inquiry as may be considered necessary, it appears to the Chancellor that the Vice-Chancellor:-</p> <ul style="list-style-type: none"> a) has failed to discharge any duty imposed upon him by or under this Act, the Statutes, the Ordinances, or b) has acted in a manner prejudicial to the interests of the University, or c) is incapable of managing the affairs of the University, then the Chancellor may, notwithstanding the fact that the term of office of the Vice-Chancellor has not expired, require the Vice-Chancellor, by an order in writing stating the reason therefore, to resign his post from the date as may be specified in the order. <p>(2) No orders under sub-section (1) shall be passed unless a notice stating the specific grounds on which such action is proposed, has been served and a reasonable opportunity to show cause against the proposed order has been given to the Vice-Chancellor.</p>
Director (s)/ Principal (s)	15	The Director or Principal shall be appointed in such manner and shall exercise such powers and perform such functions as may be prescribed.
The Registrar	16	<p>1) Registrar shall be appointed by the Chairperson of the Sponsoring Body in such manner, as may be specified in the Statutes. The Registrar shall possess the qualifications prescribed by the University Grants Commission.</p> <p>2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other power and perform such other functions as may be prescribed.</p> <p>3) The Registrar shall be the ex-officio Member Secretary of the Executive Council and the Academic Council but shall not have a right to vote.</p>
The Chief Finance Officer & Accounts Officer	17	<p>1) The appointment of the Chief Finance Officer and Accounts officer shall be made by the Chairperson of the Sponsoring Body in such manner as may be specified by the Statutes.</p> <p>2) The Chief Finance Officer and Accounts Officer shall exercise such powers and perform such duties as may be specified by the Statutes.</p>
The Controller of Examination	18	<p>1) The Controller of Examinations shall be whole time officer of the University and shall be appointed by the Chancellor in accordance with the Statutes.</p> <p>2) It shall be the duty of the Controller of Examinations: -</p> <ul style="list-style-type: none"> a) to conduct examinations in a disciplined and efficient manner; b) to arrange for the setting of question papers with strict regards to secrecy; c) to arrange for the evaluation of answer sheets in accordance with the planned time schedule for results;

- d) to constantly review the system of examinations in order to enhance the level of impartiality and objectivity with a view to make it better instrument for assessing the attainments of students;
- e) to deal with any other matter connected with examinations which may, from time to time be assigned to him by the Vice-Chancellor.

Other Officers **19** Manner of appointment and power and duties of the other officers of the University including the Dean of Students Welfare, Dean of faculty, and Chief Proctor shall be such as may be prescribed.

CHAPTER IV AUTHORITIES OF THE UNIVERSITY

Authorities of the University **20** The following shall be the authorities of the University namely:

- (a) The Governing Body;
- (b) The Board of Management;
- (c) The Academic Council;
- (d) The Finance Committee;
- (e) The Planning Board; and

such other authorities as may be declared by the Statutes to be the authorities of the University.

The Governing Body **21** (1) The Governing Body shall have the following members, namely:

- (a) The Chancellor;
- (b) Pro-Chancellor;
- (c) The Vice-Chancellor;
- (d) two persons, nominated by the State Government for three years not below the rank of a Joint Secretary;
- (e) 5 (Five) persons nominated by the sponsoring body, out of which 2(two) shall be eminent educationists/Skill Development Expert;
- (f) One expert of management or technology from outside the University, nominated by the Chancellor; and
- (g) One expert of finance, nominated by the Chancellor.

(2) The Governing Body shall be the supreme authority and principal governing body of the University. It shall have the following powers, namely:-

- (a) to provide general superintendence and directions and to control the functioning of the University by using all such powers as are provided by this Act, Statutes, Ordinances, Regulations or Rules;
- (b) to review the decisions of other authorities of the University incase they are not in conformity with the provisions of Act, Statutes, Ordinances, Regulations or Rules;

- (c) to approve the budget and annual report of the University;
 - (d) to lay down the extensive policies to be followed by the University;
 - (e) to recommend to the Sponsoring Body for the dissolution of the University if a situation arises when there is no smooth functioning of the University in spite of best efforts; and
 - (f) such other powers as may be specified by the Statutes.
- (3) The Governing Body shall meet at least 3 (three) times in a calendar year.
- (4) The quorum of the meeting shall be four members.

**The Board
of Management**

- 22** 1) The Board of Management shall consist of the following members, namely:
- (a) The Vice-Chancellor;
 - (b) 2 (two) members of the Governing Body, nominated by the Sponsoring Body;
 - (c) 3 (three) persons, who are not the members of the Governing Body, nominated by the Sponsoring Body;
 - (d) 3 (three) persons, from amongst the teachers, nominated by the Sponsoring Body;
 - (e) 2 (two) teachers, nominated by the Vice-Chancellor.
 - (f) Nomination may be given from the state Government.
- (2) The Vice-Chancellor shall be the Chairperson of the Board of Management.
- (3) The powers and functions of the Board of Management shall be such as may be specified by the Statutes.
- (4) The quorum for the meeting of the Board of Management shall be five.

**The Academic
Council**

- 23** (1) The Academic Council shall consist of the Vice-Chancellor and such members as may be specified by the Statutes.
- (2) The Vice-Chancellor shall be the Chairperson of the Academic Council.
- (3) The Academic Council shall be the Principal Academic Body of the University and shall, subject to the provisions of this Act, Statutes, Ordinances, Regulations or Rules, coordinate and exercise general supervision over the academic policies of the University.
- (4) The quorum for meetings of the Academic Council shall be such as may be specified by the Statutes.

**The Finance
Committee**

- 24** 1) The Finance Committee shall be the Principal Financial Body of the University to take care of the financial matters.
- 2) The constitution, powers and functions of the Finance Committee shall be such as may be prescribed.

The Planning Board	25	<p>(1) The Planning Board shall be the Principal Planning Body of the University and shall ensure that the infrastructure and academic support system meets the norms of the University Grants Commission or the respective Councils.</p> <p>(2) The constitution of the Planning Board, term of office of its members and its power and functions shall be such as may be prescribed.</p>
Other Authorities	26	The constitution, powers and functions of other authorities of the University, shall be such as may be prescribed.
Disqualification for membership of an authority or body	27	<p>A person shall be disqualified from being a member of any of the authorities or bodies of the University, if he;</p> <p>(a) is of unsound mind and stands so declared by a competent court;</p> <p>(b) is an under charged insolvent;</p> <p>(c) has been convicted of any offence involving moral turpitude;</p> <p>(d) has been punished for indulging or in promoting unfair practice in the conduct of any examination, in any form, anywhere;</p> <p>(e) is unfit to hold the post, in such case the Governing Body shall form an opinion in writing that such member is unfit.</p>
Vacancies not to invalidate the constitution of, or the proceeding of any authority or body of University	28	No act or proceedings of any authority of the University shall be invalid merely by reason of any vacancy in or defect in the constitution of any authority or body of the University.
Constitution of Committee	29	The authorities of the University may constitute such committee with such terms of reference as may be necessary for specific tasks to be performed shall be such as may be prescribed by the Statutes.

CHAPTER V

STATUTES, ORDINANCE AND REGULATIONS

First Statute	30	<p>(a) Subject to the provisions of this Act, and the rules made thereunder, the First Statutes may provide for all or any of the following matters, namely:</p> <p>(b) the constitution, powers and functions of the authorities and other bodies of the University as may be constituted from time to time;</p> <p>(c) the terms and conditions of appointment of the Chancellor, the Vice-Chancellor and their powers and functions;</p> <p>(d) the manner, terms and conditions of appointment of the Registrar and Chief Finance and Accounts Officer, their powers and functions;</p>
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- (e) the manner and terms and conditions of appointment of other officers and teachers and their powers and functions;
 - (f) the terms and conditions of service of employees of the University;
 - (g) the procedure for arbitration in cases of disputes between employees or students and the University;
 - (h) the conferment of honorary degrees;
the provisions regarding exemption from payment of tuition fee and awarding scholarships and fellowships to the students;
 - (i) framing of policy for admission, including regulation of reservation of seats; and
 - (j) fees to be charged from students.
- (2) The First Statutes of the University shall be made by the Governing Body and shall be submitted to the State Government for its approval.
 - (3) The State Government shall consider the First Statutes, submitted by the University and shall approve it within 60 (sixty) days from the date of its receipt, with or without modifications as it may deem necessary.
 - (4) The University shall communicate its agreement to the First Statutes as approved by the State Government, and if it desires not to give effect to any or all the modifications made by the State Government under sub-section (3), it may give reasons therefore and after considering such reason, the State Government may or may not accept the suggestions made by the University.
 - (5) The State Government shall publish the First Statutes, as finally approved by it, in the Official Gazette, and thereafter it shall come into force from the date of such publication.

Subsequent Statutes.

- 31 (1) Subject to the provisions of this Act and the rules made thereafter, the Subsequent Statutes of the University may provide for all or any of the following matters, namely: -
 - (a) creation of new authorities of the University;
 - (b) accounting policy and financial procedure;
 - (c) representation of teachers in the authorities of the University;
 - (d) creation of new departments and abolition or restructuring of existing departments;
 - (e) institution of medals and prizes;
 - (f) procedure for creation and abolition of posts;
 - (g) revision of fees;
 - (h) alteration of the number of seats in different disciplines; and
 - (i) all other matters which by or under the provision of this Act require to be prescribed by the Statutes.

- (2) The Statutes of the University other than the First Statutes shall be made by the Board of Management with the approval of the Governing Body.
- (3) The Statutes made under sub-section (2) shall be submitted to the State Government and it may approve or, if considers necessary, give suggestions for modification as far as possible within two months from the date of receipt of the Statutes.
- (4) The Governing Body shall consider the modifications suggested by the State Government and return the Statutes to it with its agreement to such changes *or* with its comments on the suggestions made by the State Government.
- (5) The State Government shall consider the comments of the Governing Body and may approve the Statutes with or without modifications and it shall be published by it in the Official Gazette, and shall come into force from the date of such publication.

First Ordinance

32

- (1) Subject to the provisions of this Act, the rules and the Statutes made thereunder, the First Ordinance may provide for all or any of the following matter, namely:-
 - (a) the admission of students to the University and their enrolment as such;
 - (b) the courses of study to be laid down for degrees, diplomas and certificates of the University;
 - (c) the award of degrees, diplomas, certificates and other academic distinctions, the minimum qualifications for the same;
 - (d) the conditions for award of fellowships, scholarships, stipends, medals and prizes;
 - (e) the conduct of examinations, including the terms of office and manner of appointment and the duties of examining bodies examiners and moderators;
 - (f) fees to be charged for the various courses examinations, degrees or diplomas of the University;
 - (g) the conditions of residence of the students of the University;
 - (h) provision regarding disciplinary action against the students;
 - (i) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;
 - (j) the manner of co-operation and collaboration with other Universities and Institutions of Higher Education;
 - (k) such other matters which are required to be provided by the Ordinance by or under this Act.
- (2) The First Ordinance of University shall be made by the Chancellor which after being approved by the Board of Management, shall be submitted to the State Government for its approval.

- (3) The State Government shall consider the First Ordinance submitted by the Chancellor under sub-section (2) within sixty days from the date of its receipt and may approve it or give suggestions for modifications therein.
- (4) The Chancellor shall either modify the Ordinance incorporating the suggestion of the State Government or give reasons for not incorporating any of the suggestions made by the State Government and shall return the First Ordinance along with such reasons, if any, to the State Government and on receipt of the same, it shall consider the comments of the Chancellor and may approve the First Ordinance of the University with or without such modifications and it shall be published by the State Government in the Official Gazette, and it shall come into force from the date of such publication.

Subsequent Ordinance

- 33 (1) All Ordinances other than the First Ordinance shall be made by the Academic Council which after being approved by the Governing Body shall be submitted to the State Government for its approval.
- (2) The State Government shall consider the Ordinances submitted by the Academic Council under sub-section (1) as far as possible within two months from the date of its receipt and may approve it or give suggestions for modifications therein.
- (3) The Academic Council shall either modify the Ordinances incorporating the suggestion of the State Government or give reasons for not incorporating any of the suggestions made by the State Government and shall return the Ordinances along with reason, if any, to the State Government and on receipt of the same, it shall consider the comments of the Academic Council and may approve the Ordinances with or without modifications and it shall be published by it in the Official Gazette, and shall come into force from the date of such publication.

Regulations

- 34 The authorities of the University may, subject to the prior approval of the Governing Body make Regulation, consistent with this Act, the Statutes and the Ordinances made thereunder, for the conduct of business of the each such authority and committee constituted by each such authority.

Power of State Government to give directions

- 35 (1) The State Government may, for the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, cause an assessment to be made in such manner as may be prescribed, by such person or persons as it may deem fit.
- (2) The State Government shall communicate its recommendations to the University on the basis of such assessment for corrective action. The University may adopt such corrective measures and make efforts so as to ensure the compliance of the recommendation.

- (3) The State Government may give such directions as it may deem fit if the University fails to comply with the recommendation made under sub-section (2) within a reasonable time. The directions given by the State Government shall be immediately complied by the University.

**Power to
amend**

- 36** The power to amend any provisions of the Act shall vest with the State Government through the State Legislative Assembly.

CHAPTER VI FUNDS OF UNIVERSITY

**Endowment
Fund**

- 37** (1) The Sponsoring Body shall establish an Endowment Fund for the University with an amount of Rs. 2,00,00,000/- (Two Crores) which shall be pledged to the Government of Sikkim.
- (2) The Endowment Fund shall be used as security deposit to ensure that the University complies with the provisions of this Act and functions as per the provisions of this Act, the Statutes and the Ordinances. The State Government shall have the power to forfeit, a part or whole of the Endowment Fund in case the University or the Sponsoring Body contravenes the provisions of this Act, Statutes, the Ordinances, the Regulations or the Rules made thereunder.
- (3) The University may utilize the income from the Endowment Fund for the development of infrastructure of the University and not to meet the recurring expenditure of the University.
- (4) The amount of Endowment Fund may be invested in such instruments as the Government may prescribe and kept invested until the dissolution of the University.
- (5) In case of investment in long term security, the certificates of the securities shall be kept in the safe custody of the Government and in case of deposit in the interest-bearing Personal Deposit account in the Government Treasury, deposit shall be made with the condition that the amount shall not be withdrawn without the permission of the Government.

General Fund

- 38.** (1) The University shall establish a fund, which shall be called the General Fund to which the following shall be credited, namely:
- (a) fees and other charges received by the University;
- (b) any contribution made by the sponsoring body;
- (c) any income received from consultancy and other work undertaken by the University in pursuance of its objective;
- (d) trusts, bequests, donations, endowments and any other grants; and
- (e) all other sums received by the University.

(2) The General Fund shall be utilized for the following objects, namely:

- (a) for the repayment of debts including interest charges thereto incurred by the University for the purposes of this Act and the Statutes, the Ordinances, the Regulations, and the Rules made thereunder with the prior approval of the Governing Body;
- (b) to upkeep the assets of the University;
- (c) for the payment of the fee for audit of the funds created under sections 37 and 38;
- (d) to meet with the expenses of any suit or proceedings by or against the University;
- (e) for the payment of salaries, allowances, provident fund contributions, gratuity and other benefits to officers, employees, and members of the teaching and research staff;
- (f) for the payment of travelling and other allowances of the members of the Governing Body, the Executive Council, the Academic Council, other authorities and the members of any committee appointed by any of the authority or the Chairperson of the Sponsoring Body or the Chancellor;
- (g) for the payment of fellowships, free-ships, scholarships, assistantships and other awards to the students belonging to economically weaker sections of the society or research associates, trainees or, as the case may be, in any student otherwise eligible for such awards under the Statutes, the Ordinances, the Regulations or the Rules;
- (h) for the payment of any expenses incurred by the University in carrying out the provisions of Act, Statutes, the Ordinances, the regulations or the Rules;
- (i) for the payment of cost of capital, not exceeding the prime lending rate from time to time of the State Bank of India, incurred by the Sponsoring Body for setting up the University and the investments made therefore;
- (j) for the payment of charges and expenditure relating to the consultancy work undertaken by the University in pursuance of this Act, Statutes, the Ordinances, the Regulations or the Rules;
- (k) for the payment of any other expenses including service fee payable to any organization charged with the responsibility of providing any specific service, including the managerial services to the University, on behalf of the Sponsoring Body, as approved by the Governing Body to be an expense for the purposes of the University;

Provided that no expenditure shall be incurred by the University in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year, as may be fixed by the Governing Body, without prior approval of the Governing Body.

- Maintenance of Fund** **39.** The funds established under Section 38 and 39 shall, subject to general supervision and control of the Governing Body, be regulated and maintained in such manner as may be prescribed.

CHAPTER VII

ACCOUNTS, AUDIT AND ANNUAL REPORT

- Annual Report** **40.** The Annual Report of the University shall be prepared by the University which shall include among other matters, the steps taken by the University towards the fulfillment of its objects and shall be submitted to the State Government after the closing of each financial year.
- Audit and Annual Accounts** **41.** (1) The annual accounts including balance sheet of the University shall be prepared by the University and the annual accounts shall be audited at least once in every year by the auditors appointed by the University for this purpose.
- (2) A copy of the annual accounts together with the audit report shall be submitted to the State Government after the closing of each financial year.

CHAPTER VIII

WINDING UP OF UNIVERSITY

- Winding up of University** **42.** (1) If the Sponsoring Body proposes to dissolve itself according to the provisions of law, governing its constitution or incorporation; it shall record reasons thereof and give at least 5 (five) years' prior notice to the State Government.
- (2) Notwithstanding, anything contained in the provisions of this Act, where the sponsoring body intends to wind up the University, the winding up process thereunder shall be as follows:
- (a) resolution to be passed by the Sponsoring Body that it intends to wind up and halt operations of the University; and
- (b) after the passage of the resolution as described in sub-section (2) (a) of Section 43, a notice will thereafter be issued by the Sponsoring Body to the Government, 5 years prior to cessation of operations; and
- (c) the Sponsoring Body shall halt intake of fresh admissions, upon passage of resolution under sub-section (2)(a) of Section 43, and issuance of notice under sub-section (2)(b) of Section 43; and
- (d) pursuant to which the Sponsoring Body/University upon completion of syllabus of the last batch of students admitted in the university; and in addition to the passage of 5 years since the notice period, the State Government shall thereafter make arrangements as may be necessary, for handing over the administration of the University for the purposes of completing the winding up process:

Provided that, upon taking over of administration from the Sponsoring Body in the manner as provided for under clause (d) of sub-section (2) of Section 42, the State Government may appoint an administrator in place of the Sponsoring Body, who shall be entrusted with the powers, duties and functions of the Sponsoring Body, as prescribed under the Act.

- (3) Subject to the laws prevalent in the State of Sikkim, where upon the winding up of the University, there remains, after the satisfaction of all its debts and liabilities any property whatsoever, the same shall vest upon the Sponsoring Body:

Provided that in the event of winding up of the University there remain any debts or liabilities exceeding the valuation of the movable and immovable properties of the University, the said outstanding debts and liabilities shall vest upon the Sponsoring Body.

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| Dissolution of University | <p>43. The Sponsoring Body who intends to dissolve the University, shall give notice to the effect in the manner as prescribed under clause (a) to clause (d) of sub-section (2) of Section 42 of the Act.</p> <p>Subject to the laws prevalent in the State of Sikkim, where upon the dissolution up of the University, there remains, after the satisfaction of all its debts and liabilities any property whatsoever, the same shall vest upon the Sponsoring Body.</p> <p>Provided that in the event of dissolution of the University there remains, any debts or liabilities exceeding the valuation of the movable and immovable properties of the University, the said outstanding debts and liabilities shall vest upon the Sponsoring Body.</p> |
| Ground for dissolution of University | <p>44. The University shall be dissolved on contravention of any provisions which may prove of the Act, Rules, Statutes, and Ordinances; financial mis-management, administrative failure and violation of directives of UGC/ State Government.</p> |
| Special power of State Government under certain circumstances | <p>45. 1) Where the State Government is of the opinion that the University has contravened any of the provisions of this Act, the Rules, the Statutes or the Ordinances made thereunder or has violated any of the direction issued by it under this Act or a situation of financial mis-management or mal-administration has arisen in the University, it shall issue the notice requiring the University to show cause within 90 (ninety) days as to why an administrator should not be appointed.</p> <p>2) On receipt of reply of the University on the notice issued under sub-section (1), if the State Government is satisfied that there is a <i>prima facie</i> case of contravention of any of the provision of this Act, the Rules, the Statutes or the Ordinances made thereunder or violation of directions issued by it under this Act or there is financial mis-management or mal-administration, it shall make an order of such inquiry as it may consider necessary.</p> |

- 3) The State Government may, by Notification for the purposes of any such inquiry under sub-section (2), appoint an inquiry officer or officers to inquire into any of the allegations and to make report thereon.
- 4) The inquiry officer or officers appointed under sub-section (3) shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 while trying a suit in respect of the following matters, namely: -
 - (a) summoning and enforcing the attendance of any person and examining him on oath;
 - (b) requiring the discovery and production of any such document or any other material as may be predicable in evidence;
 - (c) requisitioning any public record from any court or office.
- 5) On receipt of the inquiry report from the officer or officers appointed under sub-section (3), if the State Government is satisfied that the University has contravened all or any of the provisions of this Act, the Rules, the Statutes or the Ordinances made thereunder or has violated any of the directions issued by it under this Act or a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it may appoint an administrator.
- 6) The administrator appointed under sub-section (5) shall exercise all the powers and perform all the duties of the Governing Body and the Board of Management under this Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded with degrees, diplomas or, as the case may be, awards.
- 7) After having been awarded the degrees, diplomas or, as the case may be, to the last batches of the students of the regular courses, the administrator shall make a report to that effect to the State Government.
- 8) On receipt of the report under sub-section (7), the State Government may, by Notification dissolve the University and on dissolution of the University, all the assets and liabilities of the University shall vest in the Sponsoring Body
- 1) In the event of the taking over of management by the State Government in any of the conditions prescribed under sections 42, 43, 44, and 45 of the Act, the expenditure for administration of the University shall be met out of the Endowment Fund and the General Fund.
- 2) If the funds referred in sub-section (i) are not sufficient to meet the expenditure of the University during the taking over of its management, such expenditure may be met by disposing off the property(s) or asset(s) of the University, by the state Government.

**Taking over of
Management by
State Government**

46

Declaration of results	54	<p>(1) The University shall strive to declare the results of every examination conducted by it within thirty days from the last date of the examination for a particular course and shall in any case declare the results latest within 45(forty-five) days from such date:</p> <p>Provided that if, for any reason whatsoever, the University is unable to finally declare the results of any examination within the period of forty-five days, it shall submit a report incorporating the detailed reasons for such delay to the Government on demand. The Government may, thereon, issue such directions as it may deem fit for better compliance in future.</p> <p>(2) No examination or the results of an examination shall be held invalid only for the reasons that the University has not followed the Schedule of Examination as stipulated in section 53 and in this section.</p> <p>(3) The University have full rights to modify and amended point 1 & 2 above with the consent of Governing Council.</p>
Convocation	55	<p>The convocation of the University shall be held in every academic year in the manner as may be specified by the statutes for conferring Degrees, Diplomas or for any other purpose.</p>
Expenditure of the University during dissolution	56	<p>(1) The expenditure for the administration of the University during the dissolution period shall be borne out of its Endowment Fund, Management Fund, the General Fund or the Development Fund.</p> <p>(2) If funds referred to in sub-section (1) are not sufficient to meet the expenditure of the University during dissolution of its management; such expenditure may be met by disposing of the properties or assets of the University by the Sponsoring Body and the State Government.</p>
Power of the State Government to inspect the University	57	<p>(1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the State Government shall cause an assessment to be made in such manner as may be prescribed, by such person or persons as it may deem fit; only with the prior permission of Visitor & Chancellor only and more than 1 visit during a academic year.</p> <p>(2) The State Government shall communicate to the University its recommendations in regard to the result of such assessment for corrective action and the University shall take such corrective measures as are necessary or as deemed necessary as to ensure the compliance of the recommendations.</p> <p>(3) If the University fails to comply with the recommendations made under sub-section (2) within a reasonable time, the Government may give such directions as it may deem fit which shall be binding on the University.</p>

**De-recognition
of the University
by the State
Government**

- 58 (1) Where the State Government receives a complaint that the University is not functioning in accordance with the provision of this Act or Rules, it shall require the University to show cause within such time, which shall not be less than two months, as to why the University should not be de-recognized.
- (2) If upon receipt of the reply of the University to the notice given under sub-section (1) the State Government is satisfied that a *prima facie* case of mismanagement or violation of the provision of this Act in the functioning of the University is made out, it shall order such enquiry as it deems necessary.
- (3) For the purpose of an inquiry under sub-section (2) that State Government shall by notification, appoint an officer or authority not below the rank of Joint Secretary as the inquiring authority to inquire into an allegation of violation of the provision of this Act.
- (4) Every inquiring authority appointed under sub-section (3) while performing its functions under this Act shall have all the powers of a Civil Court trying a suit and particularly, in respect of the following matters, namely: -
- (a) summoning and enforcing the attendance of any witness and examining him on oath;
 - (b) requiring the discovery and production of any documents;
 - (c) requisitioning any public record or copy thereof from any office;
 - (d) receiving evidence on affidavits; and
 - (e) any other matters which may be prescribed.
- (5) If upon receipt of the inquiry report, the State Government is satisfied that the University has violated any provision of this Act, it shall direct the University to make necessary improvement and suggest for proper implementation of the provision of this Act.
- (6) If it is observed that the University is violating any provision of the Act continuously for three times the State Government may by notification take over its management duly informing the University Grant Commission.
- (7) During the period of the management of the University, the State Government may utilize the Permanent Endowment Fund, the General Funds or any other fund for the purpose of the Management of the affairs of the University by the sponsoring body. If the funds of the University are not sufficient to meet the requisite expenditure of the University, the State Government and Sponsoring Body may dispose of the assets or the properties of the University to meet the said expenses.

Discipline

- 59 (1) The University shall maintain strict discipline as per all relevant University Grants Commission (UGC) norms applicable from time to time.
- (2) Such discipline shall be strictly enforced amongst the Teaching Faculty, Non-Teaching Faculty and all the Students enrolled in

the University at all times as discipline is one of the most important pillars of quality education.

- (3) The University shall enable due inspection periodically by the State Government to ensure compliance to all relevant University Grants Commission (UGC) norms, guidelines, and due adherence to local etiquettes and traditional values to ensure suitable adaption of the University to the local population with primary focus on high standards of education.
- (4) The final authority responsible for the maintenance of discipline among the students of the University shall be the Vice-Chancellor. His directions in this regard shall be carried out by the Heads of the Department of the University, Hostel and Institutions.
- (5) Any punishment of debarring a student from the examination or rustication, expulsion, suspension or restriction from the University or hostel institution shall, on the report of the Vice-Chancellor, be considered and imposed by the Board of Management:

Provided that no such punishment shall be taken without giving student concerned a reasonable opportunity for show cause against proposed action to be taken.

**Status of Assets, 60
Liabilities on
Dissolution and
De-recognition**

All assets and properties including the Endowment Fund, General Fund or any other fund of the University shall belong to the Government in case of dissolution of the University under by any proven default activity clause mentioned hereinabove in the Act.